

## **REMARKS**

Claims 1-24 are pending in the application with independent claims 1-5, 11-15, 19, 22, and 24 amended herein

Initially, the office action objects to the drawings for a discrepancy with the specification. A replacement sheet for Fig. 5 is submitted herewith addressing this matter. Withdrawal of the objection is requested.

Claims 1-24 are rejected under 35 U.S.C. § 112, second paragraph, as indefinite. It is respectfully submitted that the amendments to the claims address the indefiniteness issues raised in the office action. The claims recite a target pattern that indicates a guarantee of QoS including such things as processing capability and service quality. Accordingly, it is submitted that the rejection under § 112 should be withdrawn.

Claims 1-24 are rejected under 35 USC 103(a) as unpatentable over United States Patent No. 6,570,867 to Robinson in view of U.S. Patent Number 6,611,867 to Bowman -Amuah, and in further view of U.S. Patent No. 6,463,470 to Mohaban.

Independent claim 1 has been amended to clarify that:

a selection and notification section for selecting a candidate subnetwork having a QoS capability such as to satisfy a target pattern indicating a guarantee of QoS including at least one of the processing capability of layer 3 and layer 4, and service quality indicating a quaranteeable quality to the target

Support for these amendments to the claims can be found in the specification at page 17m line 24 to page 18 line 9, and at page 20, lines 5-8 and Table 1. It is respectfully submitted that the relied upon portions of Robinson and Bowman-Amuah do not teach means for the collection of the QoS capability management information, specifically the supported target pattern representing a QoS-guaranteeable target pattern indicating a guarantee of QoS including at least

one of the processing capability of layer 3 and layer 4, and service quality indicating a quaranteeable quality to the target, as recited in the instant claims.

Accordingly, independent claim 1 patentably distinguishes over the relied upon portions of the cited references and is allowable. For similar or somewhat similar reasons, independent claims 2-9, 11-15, 19, 22, and 24, patentably distinguish over the relied upon portions of the cited references and are allowable. Claims 10, 16-18, 20, 21, and 23, which depend from one of these allowable base claims, are allowable therewith.

### **CONCLUSION**

In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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